

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

FILED

OCT 01 2003

INDIANA UTILITY
REGULATORY COMMISSION

IN THE MATTER OF THE DESIGNATION)
OF ELIGIBLE TELECOMMUNICATIONS)
CARRIERS BY THE INDIANA UTILITY)
REGULATORY COMMISSION PURSUANT)
TO THE TELECOMMUNICATIONS ACT OF)
1996 AND RELATED FCC ORDERS, AND IN)
PARTICULAR, THE APPLICATION OF)
NPCR, INC. D/B/A NEXTEL PARTNERS)
TO BE DESIGNATED)

CAUSE NO. 41052 ETC-43


You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On September 30, 2003, the Petitioner, NPCR, Inc. d/b/a Nextel Partners ("Nextel Partners" or "Petitioner"), filed a *Petition for Confidential and Proprietary Treatment of Responses to Certain Questions Propounded by the Commission in its Entry dated September 24, 2003* ("Motion"). In support of its Motion, Nextel Partners included the affidavit ("Affidavit") of Gregory Diamond, Attorney for Nextel Partners.


In its Motion, the Petitioner seeks confidential treatment and trade secret designation of the information contained in its responses to questions 3(a), 3(b), 3(d), 5(a) through 5(c) (collectively referred to as the "Confidential Information") of its response to the Docket Entry issued by the Presiding Officers on September 24, 2003. The Petitioner indicates in its Motion that responses to the foregoing questions require the submission of maps reflecting cell sites and additional information that contains confidential trade secrets which are exempt from disclosure under Indiana Code (IC) 5-14-3-4.

The Presiding Officers, having reviewed the information contained in the Petitioner's Motion and Affidavit, find that there is a sufficient basis for a preliminary finding that confidential procedures are appropriate and should be followed concerning the Confidential Information to be submitted in this Cause. Accordingly, the Petitioner shall *hand deliver to the Presiding Administrative Law Judge*, a single sealed copy of Confidential Information that includes the Cause No., and is marked as CONFIDENTIAL, and such information shall be treated as confidential on a preliminary basis in accordance with IC § 5-14-3-4.

IT IS SO ORDERED:

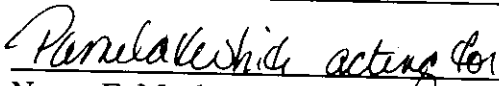


David E. Ziegner, Commissioner



Scott R. Storms, Chief Administrative Law Judge

DATE: October 1, 2003



Nancy E. Manley, Secretary to the Commission